

thereafter as counsel may be heard, Defendant American Board of Medical Specialties (“ABMS”) shall appear before the Honorable Mary Louise Cooper, U.S.D.J., **Fisher Federal Building & U.S. Courthouse**, 402 East State Street, Trenton, New Jersey 08608, and shall move this Court for an Order dismissing Plaintiff’s Complaint pursuant to Federal Rules of Civil Procedure 12(b)(3) and/or 12(b)(6), or alternatively transferring this matter to the United States District Court for the Northern District of Illinois pursuant to 28 U.S.C. § 1404(a).

PLEASE TAKE FURTHER NOTICE that in support of its Motion, ABMS shall rely upon its Brief and on the Affidavit of Laura Skarnulis and Declaration of Jakob B. Halpern, submitted concurrently herewith; any Reply papers to be submitted; and oral argument, if any. Two proposed forms of Order are also submitted for the Court’s consideration.

PLEASE TAKE FURTHER NOTICE that oral argument is specifically requested.

Respectfully submitted,

SAIBER LLC

Attorneys for Defendant

American Board of Medical Specialties

s/ Arnold B. Calmann

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Dated: June 17, 2013

LOCAL CIVIL RULE 11.2 CERTIFICATION

Under Local Civil Rule 11.2, the undersigned counsel for Defendants hereby certifies that the matter in controversy is not the subject of any other pending action, arbitration or administrative proceeding.

SAIBER LLC

Attorneys for Defendant

American Board of Medical Specialties

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LOCAL CIVIL RULE 201.1 CERTIFICATION

Under Local Civil Rule 201.1, the undersigned counsel for Defendants hereby certifies that Plaintiff seeks declaratory and injunctive relief, and therefore this action is not appropriate for compulsory arbitration.

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Attorneys for Defendant

American Board of Medical Specialties

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